

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

116th Legislative Day

December 5, 2002

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend Gordon McLean, First Presbyterian Church, Springfield, Illinois. Reverend McLean.

THE REVEREND GORDON McLEAN:

(Prayer by the Reverend Gordon McLean)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Noland.

(Pledge of Allegiance)

PRESIDENT PHILIP:

We have had a request for filming today: Channel 20, Illinois Information Service, WLS-TV Channel 7, CBS Channel 2-Chicago. Is leave granted? There being no objections, leave is granted. Senator Wendell Jones.

SENATOR W. JONES:

Mr. President, I move that reading and approval of the Journals of Tuesday, December 3rd, and Wednesday, December 4th, in the year 2002, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Wendell Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

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Senate Bill 1609, with House Amendment No. 1.

We have a like Message on Senate Bill 1976, with House Amendment No. 1.

Both passed the House, as amended, December 4th, 2002.

PRESIDENT PHILIP:

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege, Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it is my honor to present in the President's Gallery a very distinguished lady who handles adoptions in my area, Dixie Malek, of Wadsworth, Illinois, and who is my constituent. Let's welcome her here.

PRESIDENT PHILIP:

Will you please rise and be recognized by the Senate? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we request a Republican Caucus immediately.

PRESIDENT PHILIP:

Thank you. That's always in order. Hopefully it won't be much longer than a half hour.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR PETKA)

Senate will come to order. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 912, with House Amendments 1, 2 and 3.

We have a like Message on Senate Bill 1650, with House Amendments 1, 2 and 4, and Senate Bill 2390, with House Amendments 1 and 2.

All passed the House, as amended, December 5th, 2002.

PRESIDING OFFICER: (SENATOR PETKA)

The AP has requested leave to take photos. Leave granted? Leave -- request for leave. Leave being granted, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures assigned: The Motion to Concur with House Amendment 1 and 2 to Senate Bill 2390 referred to the Committee on Appropriations; to the Committee on Executive - Senate Amendment 1 to House Bill 5159, Motion to Concur with House Amendments 1 and 2 to Senate Bill 616, Motion to Concur with House Amendment 1 to Senate Bill 1609, Motion to Concur with House Amendment 2 to Senate Bill 1809, Motion to Concur with House Amendment 1 to Senate Bill 1976 and the Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 912; and re-referred from the Committee on Public Health and Welfare to the Rules Committee -- that's a referral to the Public Health and Welfare Committee on House Bill 2787.

PRESIDING OFFICER: (SENATOR PETKA)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the

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passage of a bill of the following title, to wit:

Senate Bill 1258, with House Amendments 1 and 3.

We have a like Message on Senate Bill 2424, with House Amendment 1.

Both passed the House, as amended, December 5th, 2002.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

For an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Please state the announcement.

SENATOR KARPIEL:

There will be a Executive meeting at 1:30 in Room 212.

PRESIDING OFFICER: (SENATOR PETKA)

The Senator has announced a -- a meeting of the Executive Committee at 1:30 in 212. Senator Donahue, for what purpose do you rise?

SENATOR DONAHUE:

Thank you, Mr. President. Purposes of an announcement. There will be an Appropriations meeting in 212 at 2 o'clock. Appropriations, 212.

PRESIDING OFFICER: (SENATOR PETKA)

Distinguished gentleman from Cook County, Senator Molaro, for what purpose do you arise?

SENATOR MOLARO:

Thank you, Mr. President. Because of all these announcements, are we going to need our hotel rooms for tonight or are we going to be leaving sometime today?

PRESIDING OFFICER: (SENATOR PETKA)

Senator, for what it's worth, I do not have a hotel booked for tonight, but that can change, you know. We will shortly be proceeding to the -- that part of the Calendar, Order of House

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Bills 3rd Reading. Those Members who have legislation they wish to move today, please come to the Floor as soon as possible. On the order of business of House Bills 3rd Reading, on page 2 of the Calendar, is House Bill 333. Senator Watson. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 333.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. You might recall, we amended this bill yesterday. This now becomes the legislation -- the amendment becomes the legislation, and it extends the quick-take authority for the Southwestern Illinois Development Authority, which is an economic arm of Madison and St. Clair counties located in southwestern Illinois. And the issue is to allow them to extend the quick-take authority from August 30th of 2002, obviously which has passed - they do not have this authority now; it expired - we want to extend it now through August 30th of 2003, an additional six months -- seven -- seven months. That's what it does, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Is there discussion? Senator Klemm.

SENATOR KLEMM:

Questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR PETKA)

Sponsor indicates he will yield.

SENATOR KLEMM:

Senator Watson, is this quick-take authority going to be used for a public purpose?

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PRESIDING OFFICER: (SENATOR PETKA)

Senator Watson.

SENATOR WATSON:

Yes. It's my understanding that it is totally for public purpose.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Klemm.

SENATOR KLEMM:

So, all the parcels that you're talking about on there is a linkage to get this rail system that would be used to connect all this together, and not ancillary type of development along the way?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Watson.

SENATOR WATSON:

If I could, I'd like to defer that question to Senator Clayborne, who is a hyphenated cosponsor. The parcels that are being considered for quick-take are in his district.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Watson yields to Senator Clayborne. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President. And, Senator Klemm, it is the intention of certain projects that have been proposed, one by the City of Belleville, to bring in affordable housing, as well as quick-take in East St. Louis to continue affordable housing. The Governor came down early part of this -- this year, and for the first time probably in thirty, forty years, one hundred and seventy-two units of affordable housing were built in East St. Louis, and quick-take was used for this housing development. It was about a twenty-three-million-dollar project and one of the largest investments that has been made in East St. Louis in a long

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time. The -- the Village of Brooklyn, the same thing: Affordable housing is going to be brought in -- I mean, is going to be developed to assist, again, in revitalizing this community, as well as other projects. So, the intended use is for a public purpose.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Klemm.

SENATOR KLEMM:

Well, Mr. President and -- and sponsor, it was my understanding that we talked about this that it was for a public purpose, and it was for the rail system and that. And that was my understanding. I support that. It's been alluded to now it's going to be for public development -- or, for private development on blighted areas. It's taking away private lands for private capital gains. And -- and we had a resolution trying to stop that type of developer versus developer when we're talking about property rights here. And then I find out that maybe that's not the case, that it's not going to be for public purposes only. Now, you know, I don't like to be misled here because I support the efforts of the agency in trying to do good things for good people. But you know our position, in the resolution, of this Chamber, that we're not going to start taking property rights from people because they don't want to pay the price to buy a property or something. I think we need more explanation on this. And I don't want to delay it, but I -- it was the understanding and I was told in good faith that this was not to be used for that, that it was for a public purpose, which I would support. And I wonder if that could be explained now.

PRESIDING OFFICER: (SENATOR HAWKINSON)

Senator Clayborne.

SENATOR CLAYBORNE:

You know, Senator Klemm, I didn't agree with your -- your

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resolution, but -- but anyway, I -- I want to point out several things. You know, the -- the City of East St. Louis was almost bankrupt and right now we have a financial oversight over the City. There's a financial oversight for the school district. SWIDA has assisted the City and the surrounding areas to revitalize and redevelop properties. If you -- if you understand what I'm saying, I'm saying redevelop; I'm not saying develop. They've taken abandoned structures, blocks of homes that were burnt out and they've built new housing. They've taken a property where basically there were old, abandoned gas stations and now we have a Walgreens, we have a grocery store, we have a Blockbuster and -- and other things. They're building strip malls where properties were just -- buildings were just standing up there and they're not being utilized, but they're redeveloping those properties. East St. Louis is going to get a Foot Locker. And -- and -- and, you know, that may not sound like something that's big, but for East St. Louis, that's a -- a major step. So, it is being used -- I guess for -- your concern is that it's a public use, but there may be a private entity that's benefitting. To a certain extent on some of these projects, that may be correct. But what's most important is that unfortunately, Senator Klemm, there are a lot of land speculators in East St. Louis. There are a lot of people that are -- that are there promising -- that have purchased property hoping that one day East St. Louis will turn around, and nothing has really -- those land speculators are there basically as a roadblock for development. So, I understand what your concerns are, but I'm more than willing to -- for you to come down and see what we're talking about, what currently exists and make -- and let you make a more informative decision about your concerns. But our plight, Senator Klemm, is much different, much different than the plight that you-all have in the suburbs of Chicago.

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PRESIDING OFFICER: (SENATOR PETKA)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. There's been some Members that have been involved in negotiations of this legislation who were led to believe by, I believe, the attorney for SWIDA that this was only to be for public purposes. I think that there's some concern about that now that maybe this is not necessarily for public purposes. I'd like to take the bill out of the record and get this cleared up so that when we come back January 6th or 7th, we'll get a clear understanding exactly of what this -- the Development Authority is going to use the quick-take for.

PRESIDING OFFICER: (SENATOR PETKA)

Out of the record. Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Please state your point, sir.

SENATOR HENDON:

Thank you, Mr. President. Sunday, this Sunday, December the 8th, is my birthday. I'll finally be twenty-nine, and I wanted to invite all the Senators and staff, whoever, if you're in Chicago, to my birthday party that my wife is throwing for me. Saturday, from 6 to 10, 13th and Michigan, at the Club Alphonse, if you want to come out and wish me a happy birthday. I wanted to invite everyone. Thank you.

PRESIDING OFFICER: (SENATOR PETKA)

Well, happy birthday to you, sir. Resolutions.

SECRETARY HARRY:

Senate Resolution 565, offered by Senator Jones and Senator Demuzio and all Members.

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And Senate Resolution 566, by Senators Demuzio and Jones and all Members.

They're both death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Demuzio, for what purpose do you seek -- Consent Calendar. Senator Vince Demuzio, for what purpose do you seek recognition? Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. For point of personal privilege.

PRESIDING OFFICER: (SENATOR PETKA)

Please state your point.

SENATOR PARKER:

I have a Page with me today. If you would please greet and welcome her to the Senate. Her name is Chrissy Kruzak. Thank you very much.

PRESIDING OFFICER: (SENATOR PETKA)

Will our guest arise? And we welcome her to the Senate. On page 9 of the Calendar, we have -- from Secretary's Desk, Resolutions, we have Senate Resolution 517. Senator Philip. Mr. -- Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Resolution 517, offered by Senator Philip.

The Committee on Executive adopted one amendment. There were no Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 517 is a resolution in support of Major Umbach and Major Schmidt for the friendly fire accident in Afghanistan. If you've been reading the -- paying any attention to the media lately, it would appear that the Canadian soldiers did fire their

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weapons up in the air, celebrating something. So they have admitted that -- that somebody was shooting from the ground. It was certainly an -- an accident and, of course, if you're up there in combat, you -- if somebody shoots at you, you shoot back. It's a terrible, terrible accident. These gentlemen are -- are from the 183rd Fighter Battalion here in Springfield. One of them is from Quincy, I believe. The other one is from Springfield. And I might remind you: In Desert Storm, we killed more American soldiers by -- by friendly fire than the enemy killed. So it's always a dangerous, dangerous place to be. It's an accident. We ought to support these two Illinoisans. And, you know, remember this: The fighter pilots are the cream of the crop. Those are the best pilots in the Air Force. And I think -- to my knowledge, there's no opposition. The VFW, American Legion, everybody's on board. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR PETKA)

Is there any further discussion? There any further discussion? If not, all those in favor, say Aye. All opposed, Nay. It appears to the Chair, the Ayes have it. The resolution passed -- is adopted. On Secretary's Desk, Resolution, is found Senate Resolution 543. Senator Roskam. Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Resolution 543, offered by Senator Roskam.
The Committee on Judiciary adopted one amendment. There were no Floor amendments to the resolution, Mr. President.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a measure that is a companion piece to the death penalty language that we talked about yesterday. It's not controversially

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-- controversial at all. Came out of the Judiciary Committee unanimously, and essentially it just calls upon the Illinois Supreme Court, in the form of a resolution, requesting that they adopt a Supreme Court rule as it relates to a jury instruction on snitch type of testimony. I don't know of any opponents, and I urge its passage.

PRESIDING OFFICER: (SENATOR PETKA)

Is there discussion in connection with this resolution? Seeing none, all those in favor, say Aye. All opposed, Nay. It appears the Ayes have it, and the resolution is adopted. On page 10 of the Calendar is found Secretary's Desk, Concurrence. Senate Bill 1701. Mr. Secretary. Senator DeLeo. Senator Jim DeLeo. Senate Bill 1701. Mr. -- Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1, 3 and 6 to Senate Bill 1701.

Motion filed by Senator DeLeo.

PRESIDING OFFICER: (SENATOR PETKA)

Senator DeLeo, to explain the amendments.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1701, I'd like to concur in the House adoption of their Amendments 1, 3 and 6. It actually deletes everything that was originally in the bill. It creates the Elevator Safety and Regulation Act. It sets the repeal date for the Elevator Safety and Regulation Act as January 1st, 2013. And this bill which -- the amendment, which will now become the bill, provides that -- safety and license standards for persons engaged in the business of installing, altering, servicing, replacing, and maintaining and inspecting elevator in the State of Illinois. I ask for -- to concur in the -- in these House amendments.

PRESIDING OFFICER: (SENATOR PETKA)

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Senator DeLeo has asked for motion to -- to concur -- in concurrence with that motion. Is there discussion in connection with that motion? Any discussion? This is final action. The question is, shall the Senate concur in House Amendments Nos. 1, 3 and 6 to Senate Bill 1701. Those in favor, please vote Aye. Opposed, vote Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Clerk, please take the record. On that question, there are 57 voting Aye. There being no Nays, no Presents, the Senate does concur in House Amendments 1, 3 and 6 to Senate Bill 1701, and the bill, having received the required constitutional majority, is hereby declared passed. On that same order of business is found Senate Bill 1966. Senator Roskam. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1966.

Motion filed by Senator Roskam.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam, please explain the amendment.

SENATOR ROSKAM:

The board is incorrect. There we go. Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1966 is actually the brainchild of some very diligent House Members - Representative Julie Hamos, Representative Eileen Lyons and Representative Patti Bellock and others - who have worked for the past two years to try and address a really difficult problem in Illinois, and that is the way in which we deliver child support services and the way -- the way that we follow up on that process. Essentially what they've come up with, after two years of study and a lot of hard work, is a concept that says we should -- we should change this from essentially a social service model, which

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is what we have today and which is failing, into a legal model and to move the enforcement and the responsibilities, on a pilot program basis, from the Illinois Department of Public Aid over to the State's Attorney's Office. They've contemplated a program in Cook County, with the -- with the support of the Cook County State's Attorney's Office, Dick Devine. They have a program that they are recommending in DuPage County and then a third pilot program. I think it's a well-thought-out idea and it begins to take a fresh look at how this problem has developed over the years. It is permissive. So if the new administration chooses not to implement this plan, the new administration and Governor-elect Blagojevich don't have an obligation to do so. I'll be happy to answer any questions, and I urge its passage.

PRESIDING OFFICER: (SENATOR PETKA)

Is there any further discussion? Senator -- Senator Ronen.

SENATOR RONEN:

Thank you, Mr. -- thank you, Mr. President. This is the child support bill that we discussed in caucus yesterday, I would just remind Democrats. I'm rising in opposition to this. The -- the timing of this is really very inappropriate and we're talking about making a change in a part of the child support system at the time that a new administration is coming in and talking about revamping the whole child support structure. And I just think this is the tail wagging the dog, so to speak, and it would be wrong. I would remind Members that the -- the President of the Cook County Board is opposed to this, the AFSCME is opposed to this, and I think this is just bad public policy and not really thought through in a way that has to be thought through. And I would respectfully ask Members to vote Present or No.

PRESIDING OFFICER: (SENATOR PETKA)

Further discussion? Senator Hendon.

SENATOR HENDON:

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Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR PETKA)

Sponsor indicates he will yield.

SENATOR HENDON:

Senator, you know Governor-elect Blagojevich was on the Floor yesterday expressing his desire for bipartisan support and cooperation and pledging to work with that side of the aisle. I don't understand why you can't wait to give the Governor-elect opportunity to -- to handle this, take care of this problem in January instead of now. And the -- a lot of people are in opposition to this. So I'm sure you're going to be seeking the Governor's support on some items coming up soon, since you're not leaving this Body, so why put yourself in that position that you're doing right now on this pertinent issue?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

Senator, I always enjoy your questions. And I guess in direct answer to your question, it is a bill that, frankly, would have been really easy for me to say no to. I was kind of the last person standing. And you know that feeling when you're the only one that has a germane bill? And that's the situation I found myself in. So I wasn't saying yes to a bunch of Republicans; I was saying yes to a bunch of Democratic women House Members who contacted me and said, "Please, move this bill." The new Governor has an opportunity, Senator, to -- to set this aside. There is no obligation that -- that this bill would in any way be -- be placed on Governor-elect Blagojevich. It is optional. If the new administration and his director says, "We're not going to choose to go this route", they simply take this concept and put it aside. So, to make the representation that it -- that it is somehow shackling the new Governor, that's just not correct. He still

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will enjoy a lot of flexibility. And what we're doing is we're focusing down -- and listen. I mean, in the interest of full disclosure, this is a great idea. I wish I could say I came up with it. This is the work of two years over in the House, so it's not a last-minute situation. A lot of things were worked out at the -- over the summertime, in terms of people that I don't think understood what this bill was about, and then they came -- they came to understand it. Admittedly, the Cook County President doesn't like it. Cook County State's Attorney does. So, it's my hope that you'll evaluate it on the merits and -- and vote Aye.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Hendon.

SENATOR HENDON:

Well, Senator, I've -- I've had the opportunity on the softball field to see your manly strength and abilities. You don't seem like the type to me that would allow a few women from the House to push you around. So, I don't think that that would be the case. And I just urge our colleagues to vote No on this and we can deal with it in January.

PRESIDING OFFICER: (SENATOR PETKA)

Further discussion? Senator Emil Jones.

SENATOR E. JONES:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR PETKA)

The sponsor will yield, and he indicated.

SENATOR E. JONES:

Senator, is there any companion appropriation bill for the responsibility being shifted to the Cook County State's Attorney's Office?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

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Senator, it would be existing money that's in the child support system already that would be funding this program.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Jones.

SENATOR E. JONES:

Are those monies transferred to Cook County State's Attorney's Office?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

Senator, we really don't know what the budget would look like because it would require a reorganization at the local level. So we'd have to come back and continue to work on this.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Jones.

SENATOR E. JONES:

Well, since you're not knowledgeable of that particular fact, I don't know why we should even proceed. And I received a letter from the President of the Cook County Board, also from the Clerk of Cook County -- County Clerk, and both have indicated that the -- they're in strong opposition to this legislation. And we often talk about unfunded mandates and that's what this is. So the local administrators, the President of the County Board, the Clerk of the Court are in strong opposition to this. And I think it's premature and it's an unfunded mandate. Until such time we can sit down next year and really effectively do something as it relate to child support, and so I -- I would suggest, if possible, you just take it out of the record. And, you know, the House Members often send things over without really thinking them through thoroughly. We're keenly aware of that. And so, these -- these so-called enlightened legislators in the House didn't send any money over with it or transfer any dollars to the County

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of Cook so that this program could be properly administered. Matter of fact, you may be doing more harm than good if they do not have the resources there to do what is necessary to get the job done. And I -- I wish you would take it out of the record.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

Thank you. In response, maybe there's a portion that -- that didn't show up in your analysis, Senator, and I failed to mention it earlier, but that is, simply, if the Cook County Board doesn't want to enter into the program, they simply don't have to enter into the program. So there's no mandate here whatsoever. There's no obligation. If it's a bad deal for the Cook County Board President, he simply says, "We're not going to do this deal." If it's a bad deal at the evaluation time, Senator, and the Illinois Department of Public Aid says, "Well, that -- that's not a direction that we want to go", they don't have to go that direction. So, to say that it's an unfunded mandate is really a mischaracterization. It's an opportunity to take a fresh look, to do a new way of a system that -- that fifty-nine of us on this Senate Floor today would agree is a complete failure.

PRESIDING OFFICER: (SENATOR PETKA)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, to address a concern from one of my colleagues on the other side, no woman pushes Peter Roskam around, and you ought to be glad that these two women did because they're Democrats. Representative Julie Hamos has worked on this bill for two years. I believe Cynthia Soto is a Representative. She testified that she had worked on child support for about eight or ten years and was in favor of this bill, and it's about time this was done. And, you

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know? We passed it in Judiciary after we heard all the arguments by a bipartisan vote. It's time we addressed this carefully. If someone doesn't pay their obligations, they're -- they're in violation of the law of, usually, a divorce decree. And, you know? That's just as criminal -- quasi-criminal because they're violating the law when they don't answer that decree properly. About -- it's about time we did something. I'm getting the calls from a lot of these parents, who are single parents, who aren't getting their support, and I'm sure most of you represent -- Senators here have got -- been getting them. We've got to do something. It's a step in the right direction, and even the State's Attorney of Cook County is for it. So -- it's optional to the county. I know my county would be very much interested. We need it. We're the third-largest county in the State. And it's high time we remember that since this bill is a bipartisan bill, we're supporting a bill sponsored by a Democrat, Representative Julie Hamos, who's very able and has done a very good job on it, and I think it's high time we forget about what you want to do now and later. And I'm sure that the new Governor - and I intend to support him in his effort to straighten out our State - I'm sure that he would probably want something like this to take place, because when they don't pay their bills when they're ordered by court, by golly, they're in a quasi-criminal position. And what better chance of collecting is there but from the State's attorneys of the respective counties? I support this bill very vigorously.

PRESIDING OFFICER: (SENATOR PETKA)

Further discussion? Further discussion? If not, Senator Roskam, to close.

SENATOR ROSKAM:

Thank you, Mr. President. Senators, we've heard, I think, a fair discussion today about what's in this bill and what's not in

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this bill. We've all, like Senator Geo-Karis mentioned, we've all gotten phone calls from people that have been abused in the current system and abused by people that have not been fulfilling their child support obligations. And not only do those families suffer, but the State taxpayers suffer as well. Over the years a bureaucracy has developed that has not been particularly efficient in getting to that process. And now we have State's attorneys that have come forward and said, "Really? You need help? We want to help you. We want to bring this program together and we want to be the ones that -- that go after those deadbeats and figure out a system so that you are able to support your children in the way that you are legally entitled to support them." That's not asking much. This bill doesn't obligate the new Governor in any way, shape or form. It creates an opportunity for him if he chooses to deploy it. This bill does not obligate any county board in any way, shape or form. If the Cook County Board President says he doesn't want to enact this program, he simply doesn't enact the program. It's that simple. There is no obligation. You know, there's a -- there's a rock 'n' roll song by a -- a guy named Warren Zevon, and it's called "Lawyers, Guns and Money". And we're not able to send guns, but in this situation, we can send lawyers and we can send money to help these folks out. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR PETKA)

This is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate -- Senate Bill 1936 -- 1956 {sic}. Excuse me. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On that question, there are 36 Yeas, there are 17 Nays and 5 voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1966, and the bill, having received the

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required constitutional majority, is hereby declared passed. Proceed to the Order of Secretary's Desk, Non-concurrence. Madam Secretary, have any motions been filed in connection to House Bill 4157?

ACTING SECRETARY HAWKER:

Yes.

PRESIDING OFFICER: (SENATOR PETKA)

Please read that motion.

ACTING SECRETARY HAWKER:

I move to recede from Senate Amendment No. 1 to House Bill 4157.

Motion filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This motion is to recede from Amendment No. 1. Amendment No. 1 was merely a -- a procedural amendment at the time to keep this bill moving. By removing or receding from Amendment No. 1, we put the bill back in the condition it was when it came over from the House. We passed it out of the Financial Institutions Committee basically to create the Illinois Investment (and) Development Authority which will help communities in this State have better access to capital for business development and capital investments. I know of no opposition, and I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR PETKA)

Is there discussion? Is there discussion? If not, Senator Sieben has moved that the Senate recede from Senate Amendment No. 1 to House Bill 4157. All in favor -- the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 4157. Those in favor will vote Aye. Those opposed, vote Nay. The voting is now open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Madam Clerk, please take the record. On the question, there are 58 voting Aye. There being no Nays, no Present, the Senate recedes from Amendment No. 1 to House Bill 4157, and the bill, having received the required constitutional majority, is hereby declared passed. On page 11 of our Calendar, we have Override Specific Recommendations for Change. There we find House Bill 2058. Mr. Secretary -- Madam Secretary, would you please read that motion?

ACTING SECRETARY HAWKER:

I move that House Bill 2058 do pass, the specific recommendations of the Governor to the contrary notwithstanding.

Motion filed by Senator Roskam.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 2058 is essentially the terrorism bill that we've moved through this -- or, through the Senate several times. It's current status and it's current incarnation as it's before you today has the death penalty language in it for terrorism, which we've passed unanimously in the past. And the Governor put an amendatory veto on which would have put in several death penalty reform measures that I'm opposed to and also, I think, has a constitutional problem in terms of single subject. But being that as it may, here it is. It's a subject we've debated many, many times and there's no new surprises. It has everything in it that the Governor had previously recommended, in terms of changes, and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR PETKA)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

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PRESIDING OFFICER: (SENATOR PETKA)

The sponsor has indicated he will yield.

SENATOR CULLERTON:

What is in this terrorism bill with regard to the death penalty?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

Let me just read, so it's not ambiguous at all. The bill reintroduces the terrorism bill passed unanimously by the Senate in November, 2001, and it was amendatorily vetoed by the Governor. It incorporates all of the Governor's suggested changes in the amendatory veto, except the elimination of the death penalty, and it creates a new Terrorism Act for Illinois intended to address concerns raised by terrorist attacks of September 11, 2001.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Cullerton.

SENATOR CULLERTON:

So, we are adding another factor by which someone will be eligible for the death penalty. Could you tell me what number factor we are adding? Is it twenty or twenty-one?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

The answer is yes, and I think it's -- I -- well, it's in the low twenties, Senator.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Cullerton.

SENATOR CULLERTON:

Is there any way -- and maybe Senator Hawkinson can answer this, but is there any fact situation you can think of where someone would commit the offense of terrorism and not be already

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eligible for the death penalty?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

A single victim of a terrorist act where there's no other felony involved. Right back to you.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Cullerton.

SENATOR CULLERTON:

Is terrorism, in and of itself, a felony?

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

...getting a lot of good advise here, Senator, but let me -- let me say this: I -- I think we can come up with it. But really more importantly, and Senator Hawkinson just mentioned this, this is -- this is a situation where you want no ambiguity, where you want to make sure that every base is covered. And if there is -- sometimes we throw the language around in this Chamber about sending a message. This is -- this is where we have, as a Senate, in the past, decided this is a place where we do want to send a message, and I think it's an appropriate measure.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Well then, I just want to say that I did work with Attorney General Ryan on this bill. We sat down and did -- we negotiated the bill. He sought out the Democrats in having a bipartisan effort to draft the bill. And if -- you know, and as a result of that, he made some changes that -- that I had requested. However, I believe I've pointed out even when we passed this, that I think it was unnecessary to add a twenty-second addition to our

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death penalty statute as to the eligibility because -- and this -- this ties in to the debate we had yesterday about the death penalty. You know, we -- we have a number of these factors that have never been used, and it does potentially risk making our death penalty statute unconstitutional. So, I believe that felony murder covers every act of terrorism - it's already a factor - and I'm just pointing it out. You know, I know people are going to vote for it. I think I'm going to vote for it. But I just think it's something that shouldn't be in there and it's something we're going to have to address next year when we relook at some of these reforms that were proposed on the death penalty.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam.

SENATOR ROSKAM:

It's been well discussed. Please vote Aye.

PRESIDING OFFICER: (SENATOR PETKA)

Senator Roskam has -- has moved that House Bill 4157 pass, the specific -- excuse me. Excuse me. My glasses are fogged this morning. That -- Senator Roskam has moved that House Bill 2058 pass, the specific recommendations of the Governor to the contrary notwithstanding. The question is, shall House Bill 2058 pass. All in favor, vote Aye. All opposed, vote Nay. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Clerk, please take the record. On this question, there are 55 voting Aye. There being no Nays, 1 voting Present, the bill, House Bill 2058, having received the required three-fifths majority vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senate will now stand in recess to the call of the Chair; however, we will be reconvening as soon as our committees -- our Executive Committee and Appropriations Committee are finished. I -- I can't estimate the time, but hopefully it'll be a reasonable period of time. Senator

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Klemm.

SENATOR KLEMM:

Just a reminder: The Senate Executive Committee will meet at 1:30 and that's just a couple minutes from now, in 212. So, perhaps you'll be prepared to be there.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Klemm, Chair of the Committee on Executive, reports Senate Bill 616 - the Motion to Concur with House Amendments 1 and 2 Be Adopted, Senate Bill 912 - the Motion to Concur with House Amendments 1, 2 and 3 Be Adopted, Senate Bill 1609 - the Motion to Concur with House Amendment 1 Be Adopted, Senate Bill 1809 - the Motion to Concur with House Amendment 2 Be Adopted, Senate Bill 1976 - the Motion to Concur with House Amendment 1 Be Adopted, and Senate Amendment 1 to House Bill 5159 Be Adopted.

Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Bill 2390 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will the Members please come to the Floor? We're ready to begin the final action of bills. I ask that the Members come back to the Floor from their offices because we are going to go into final action of bills. Ladies and Gentlemen of the Senate, may I have your attention, please? On today's Calendar, on page 2, we are going to House Bill 5159, on 3rd Reading. Senator Sieben. Senator Sieben? He seeks leave of this Body to return this bill to the Order of 2nd Reading for the purpose of -- of an amendment.

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Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5159. Senator Sieben. 5159. The bill is on recall. On the Order of -- of 2nd Reading is House Bill 5159. Mr. Secretary, are there any Floor amendments approved for -- for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sieben.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben, to explain the amendment.

SENATOR SIEBEN:

Thank you very much, Madam President. The underlying bill is essentially a vehicle bill, so in the Executive Committee just a few minutes ago, we did approve Floor Amendment No. 1 for consideration, which now becomes the bill. And essentially this raises the bonding authority for the Rural Bond Bank from two hundred million to two hundred and forty-five million, allowing them to meet the current demand for bonding for communities who utilize the Rural Bond Bank to help finance public projects. The bill now has bipartisan support. There's no opposition to the bill. It's the right thing to do, no cost to the State, and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, those in favor of the amendment, please signify by saying Aye. Those opposed? In the -- in the -- in the opinion of the Chair, the Ayes have it and the amendment is passed. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. ...the Order of 3rd Reading is House Bill 5159. Senator Sieben. Mr. Secretary, read the bill.

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SECRETARY HARRY:

House Bill 5159.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Madam President. The bill now, as amended, increases the bonding authority for the Rural Bond Bank from the total aggregate original principal amount of two hundred thousand {sic} to two hundred and forty-five thousand {sic}. It raises the amount that could be issued by the Bank in -- in Cook County from fifty million to sixty million. There's no opposition, bipartisan support. I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, shall House Bill 5159, as amended, be passed. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is now open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On this question, there are 54 Ayes -- I'm sorry, 55 Ayes, none voting Nay, none voting Present. And this bill, having received the required constitutional majority of three-fifths, is declared passed. On the Order of 3rd Reading, on page 2, House Bill -- 1531. Senator Sullivan seeks leave of the Body to return this bill to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the -- on the Order of 2nd Reading is 1531. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill simply permits the State Treasurer to comply with outstanding judicial orders to pay defense counsel in death penalty cases. The Treasurer is seeking the authority to spend five hundred thousand dollars to pay Fiscal Year 2002 expenses from the money currently used in the fund. There's no known opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Hearing none, those in favor will say Aye. Those opposed -- I'm sorry. Those in favor will say Aye. Those opposed, Nay. The Ayes have it, in the opinion of the Chair, and the amendment is adopted. Any further amendments for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. On the Order of 3rd Reading is House Bill 1531, as amended. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1531.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is exactly what I just said about the Capital Defense Fund. I ask for an Aye vote. There's no known opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question

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is, shall House Bill 1531, as amended, pass. Those in favor will vote Aye. Those opposed, vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. And this bill, having received the required constitutional majority of three-fifths majority, is hereby declared passed. ...this time, we are going to go to Supplemental Calendar No. 1. It's been distributed and it's on the Members' desks. Thank you, Senator DeLeo. This -- we will now have concurrence on Senate bills. There's a motion to concur with House amendments -- on Senate Bill 616. 6-1-6. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 616.

The motion, by Senator Cronin.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. This bill has been amended to have a very, very, very narrow focus. It -- it deals with an issue that we have dealt with before. We have addressed all the concerns, all the issues. This deals with succession in the Regional Office of Education in Cook County. It provides that the deputy shall be promoted to the superintendent for a period of -- from now -- this -- it takes immediate effective date and sunsets on July 1, 2003. Just a few months away. So, I ask for your favorable consideration for this very narrow and good policy.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, this is final action. The question is, shall the Senate concur in House

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Amendment No. -- No. 1 -- I'm sorry. I'm sorry. Senator Demuzio?

SENATOR DEMUZIO:

I know you're in a hurry. I just rise in support. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Well, I'm so happy. The -- this is final action. The question is, shall the Senate concur in House Amendment No. 1 and 2 in Senate Bill 616. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 58 voting Aye, none voting No, none voting Present. And this -- this -- the Senate does adopt the Conference Committee Report -- concurs in Senate Amendment 1 to Senate Bill -- to House Bill -- Senate Bill 616, Amendments 1 and 2, and the bill, having received the required three-fifths majority, is hereby declared passed. Senate Bill 912. Senator Lightford. 912. Read the bill -- the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 912.

The motion filed by Senator Lightford.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Madam President, Members of the Committee. This bill originally started as "character counts" legislation, and since then, three amendments have been added to address the financial distress of Hazel Crest School District 152 1/2.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? This is final action. The question is, shall the Senate concur -- Senator Lightford.

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SENATOR LIGHTFORD:

No, thank you, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question -- is, shall the Senate concur in House Amendments 1, 2 and 3 of Senate Bill 912. The -- those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 50 voting Aye, 5 voting -- No, none voting Present. And this bill, having received the constitutional majority of three-fifths vote, is hereby declared passed. Senate Bill 1609. Senator Bomke. Read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1609.

The motion, by Senator Bomke.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill -- Amendment 1 to Senate Bill 1609 language is identical to Senate Bill 2117 with a compromise on commissioners, reducing the number of commissioners from sixteen down to nine.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you. Pardon me. I didn't hear you the first time. This is a bill that I have supported practically every time it's been here. The problem I think you have with it at this moment is that the board -- the governing board of this medical district now has been reduced by actions of the Governor. And we sent this

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bill in its proper form to the House. The House apparently has rejected the size of this board. As a matter of fact, apparently the Speaker has indicated that he wishes to have nine, rather than sixteen, which, of course, is what the Governor's position was in the first instance. I argued here on the Floor on 3rd -- 3rd Reading for passage in an amendment that this board ought to have expanded representation from the neighborhoods, and I currently believe that that's the proper way to go, to give all of the various parties involved in this medical district the opportunity to participate in the process. And therefore, it seems to me that I'm -- I'm willing to -- I'm going to vote Present on this bill now and hope that perhaps in January with a new Governor, we might even have more understanding than the person who's down there now with respect to the needs and the concerns of the people that need to be represented on this board and should be.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Further discussion? Senator Brady.

SENATOR BRADY:

Madam President, please let the record reflect that I intended to vote Yes on Senate Bill 912, but my switch was not operating correctly.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

It'll be so reflected. Thank you. Any further discussion? Senator Bomke, to close.

SENATOR BOMKE:

Thank you, Madam President. I don't disagree with Senator Demuzio. I certainly wanted to keep the number of members of the board of commissioners up at sixteen. But keep in mind that this legislation doesn't change, in that the mayor must appoint two individuals, one from each neighborhood association, to sit on an advisory committee. That neighborhood association has input, in that they must approve the master plan or any changes to the

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master plan. Assuming this passes - and the Governor, I believe, will sign it - we'll take this to the -- the neighborhoods and hope that they will -- will agree with our position on it. But we feel this is so vital to Springfield, that we need to move with it in its current form.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On this question -- this is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1609. And those in favor, vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 32 voting Aye, 3 voting No, 23 voting Present. And the motion fails. Senate Bill 1809. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1809.

The motion, by Senator Weaver.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. 1809, as amended, would restore the allocation formula for the State's real estate transfer tax. These are the funds that we've used in the past for open space/natural area acquisition and land development. This does not go into effect until next fiscal year, so it will have no effect on this year's budget. I'll try to answer any questions.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, this is final action. The question shall -- is, shall the Senate concur in House Amendment 2 to Senate Bill 1809. Those in favor, vote Aye. Those opposed will vote Nay. And the voting's

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now open. Have all voted who wished? Have all voted who wish? Take the record. On that question, there are 54 voting Aye, none voting No, none voting Present. This bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1976. Mr. Secretary, will you read the bill?

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1976.

The motion, by Senator Peterson.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

On the motion to concur, Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President, Members of the Senate. Senate Bill 1976, as it left this Chamber, provided that from July 1, 2002, until July 1, 2005, the rate of interest used in calculating minimum nonforfeiture amounts for certain contracts shall be 1.5 percent, rather than three percent. In the House, the -- the Department of Insurance wanted clarification, and basically they said that this amendment would clarify the law on proprietary distribution of assets for funding agreements issued by a company in receivership. The Department supports it. I know of no opposition.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none, the question is, shall Senate Bill 1976, as amended, be concurred in its -- in its present form. Those in favor will -- will vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting No, 2 voting Present. And the Senate does concur in House Amendment 1, and this bill is -- having received the required three-fifths majority, is declared passed. Mr. Secretary, have any

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motions been filed?

SECRETARY HARRY:

Yes, Madam President. Senator Hendon has filed a motion with respect to Senate Bill 1609.

Pursuant to Rule 7-15 and having voted on the prevailing side, I move that the Senate reconsider the vote by which Senate Bill 1609 failed.

Filed by Senator Hendon.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Having voted on the prevailing side, Senator Hendon moves to reconsider the vote by which Senate Bill 1609 was taken -- was -- had failed. Those in favor, say Aye. Those -- all those in favor, vote Aye. And those opposed will vote Nay. The motion to reconsider is right before you now. The voting is open. Have all voted who wished? Take the record. On that question, there are 49 -- 50 voting Aye to reconsider, 3 voting Nay, none voting Present. And the motion to reconsider carries. Ladies and Gentlemen of the Senate, on the Order of Secretary's Desk, Concurrence, in the Supplemental Calendar, Senate Bill 1609. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1609.

The motion, by Senator Bomke.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Bomke.

SENATOR BOMKE:

...you -- thank you, Madam President, Ladies and Gentlemen of the Senate. We've debated this quite often. I would just ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is -- this is final action on Senate Bill -- oh! Senator

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Demuzio.

SENATOR DEMUZIO:

Hello! Well, here we are at the last moment and a deal's a deal's a deal. If this doesn't pass, the poor kids of the school district of Hazel Crest won't get their money. What a wonderful operation this is. You can't wait till January to make the changes on the board for the Medical District of Springfield and continue to deny those people out there the opportunity to be represented on the -- on the board that's going to be having some -- having some influence over their property and their property values? Boy, a deal's a deal's a deal. And, boy, let me tell you, this was a great idea, a wonderful idea, but now it's been hooked to this Hazel Crest thing. Watch this thing fly out of here. I think it's wrong, ought not to be tied together.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you, Mr. Demuzio. Senator Bomke, to close.

SENATOR BOMKE:

Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

This is final action. The question is, shall the Senate concur in House Amendment 1 to Senate Bill 1609. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have -- take the record. On that question, there are 57 voting Aye, none voting No, none voting -- none voting Present. And this bill, having received the required -- the Senate does concur in House Amendment 1 to Senate Bill 1609, and the bill, having received the required three-fifths majority, is hereby declared passed. Senator Demuzio.

SENATOR DEMUZIO:

I -- I hope they've -- have they now withdrawn that motion on Hazel Crest? Has that -- let me ask the Secretary. Has that been withdrawn now, that motion?

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. -- have there any motions -- other motions been filed, Mr. Secretary?

SECRETARY HARRY:

No other motions on file, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Demuzio, would you mind speaking a little softer because my ears are dinning. Thank you.

SENATOR DEMUZIO:

Your ears are not the problem. It's your eyes that I'm concerned about. There wasn't a motion filed but it was withdrawn. Thank you.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senate Bill 2390. Senator Rauschenberger. Mr. Secretary...

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2390.

The motion, by Senator Trotter.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Trotter.

SENATOR TROTTER:

Yes. Thank you very much, Madam President, Members of the Senate. Senate Bill 2390 is the funding stream for the substantive bill, Senate Bill 912, and what it does is it appropriates 4.5 million dollars into a special deposit to the School District Emergency Financial Assistance Fund for Hazel Crest District No. 152 1/2. I would like to see it passed.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Any further discussion? Hearing none - this is final action - the question is, shall the Senate concur in Senate Bill 2390, with House Amendments 1 and 2. Those in favor, vote Aye. Those -- opposed will vote Nay. And the voting

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is open. Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 48 {sic} (49) voting Aye, 5 voting Nay, 1 voting Present. And this bill, having -- this -- the Senate does concur in House Amendment 1 to -- and 2 to Senate Bill 1609, and the bill -- I'm sorry, 2390, and this bill, having received the required three-fifths majority, is declared passed. Messages from the Governor.

SECRETARY HARRY:

Message for the Governor by Michael P. Madigan, Director of Legislative Affairs, dated December 5th, 2002.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, Illinois General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We'll now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Hearing none, the question is, shall all the resolutions of the Consent Calendar be adopted. Those in favor will say Aye. Those opposed will say No. In the opinion of the Chair, the Ayes have it, and these resolutions are adopted. Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

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Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 90.

(Secretary reads HJR No. 90)

Adopted by the House, December 5th, 2002.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and -- and adoption of -- of House Joint Resolution 90. Those in favor will vote Aye. Those opposed will vote Nay. The Ayes have it, in the opinion of the Chair, and the rules are suspended. Senator Weaver moves for the adoption of House Joint Resolution 90. Those in favor will say Aye. All opposed, Nay. The Ayes have it, and the resolution is adopted. Is there any further business to come before the Senate? Can I have your attention, please? Let's not prolong the agony and let's please listen to the Secretary. Any further business to come before the Senate? If not, pursuant to the -- to the adjournment resolution, Senator Duane Noland moves that the Senate stand adjourned until the hour of 3 p.m., Monday, January 6, 2003. Happy holidays to all, and a nice singing voice to Senator Demuzio.